

# Morgan Lewis

**Brian A. Herman**

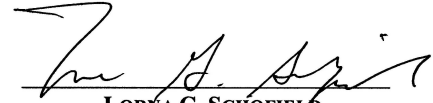
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Third-party Respondent's motion to seal is GRANTED as the material Respondent seeks to maintain under seal has already been the subject of two earlier Orders granting motions to seal, at Dkts. 260 and 279. The Clerk of Court is respectfully directed to close the motion at Dkt. 289.

August 29, 2023

**VIA ECF**

Dated: February 28, 2024  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Hon. Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Volino, et al. v. Progressive Cas. Ins. Co., et al.*, No. 1:21-cv-06243-LGS

Dear Judge Schofield:

We represent third-party subpoena respondents Mitchell International, Inc. ("Mitchell") and J.D. Power (together, "Third-Party Respondents") in connection with the above-referenced litigation. Pursuant to Rule I.D.3. of the Court's Individual Rules of Practice, the Stipulated Protective Order entered on October 21, 2021 (Dkt. No. 45) and modified on January 25, 2022 (Dkt. No. 77), and the Court's August 21, 2023 Order (Dkt. No. 287), Third-Party Respondents request that the Court maintain under seal the select portions of Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. No. 282) attached hereto and filed provisionally under seal as **Exhibit A**.

The information Third-Party Respondents seek to maintain under seal was the subject of Mitchell and J.D. Power's July 14 and August 4, 2023 Letter Motions to Seal (Dkt. Nos. 258, 277). The Court granted Mitchell and J.D. Power's motions on July 20 and August 14, 2023, respectively (Dkt. Nos. 260, 279).

Thus, Third-Party Respondents seek to redact in Plaintiffs' Reply information that has been the subject of a previously granted Letter Motions to Seal. Pursuant to Rule I.D.3 and paragraph ten of the Stipulated Protective Order, a redacted copy of Plaintiffs' Reply will be publicly filed contemporaneously with this letter, and a copy of the unredacted Reply with highlighted redactions will be filed provisionally under seal as **Exhibit A** hereto.

Respectfully submitted,

/s/ *Brian A. Herman*

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